

UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL



1999 Annual Report to the Governor, Legislature, Judicial Council and CCJJ

Dr. James O. Mason, Chairman

F. Leon PoVey, Vice Chairman

The mission of the Utah Substance Abuse and Anti-Violence Coordinating Council is to provide a unified voice for the establishment of a comprehensive strategy to combat substance abuse, illegal drug activity, and violence.

USAAV Council Members

William Afeaki

Dr. Meredith Alden

S. Camille Anthony

Daniel J. Becker

Rod L. Betit

Commissioner Camille Cain

Colonel Merrill R. Carter

Representative Gary F. Cox

Gary K. Dalton

Commissioner Craig L. Dearden

Senator R. Mont Evans

Attorney General Jan C. Graham

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Superintendent Steven O. Laing

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Harold L. Morrill

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Jane O. Piercey

Scott W. Reed

Reed M. Richards

Diane M. Stuart

Bob Terragno

Karen and Sherm Watkins

Mary Lou Bozich
Council Coordinator

The activities of the Utah Substance Abuse and Anti-Violence (USAAV) Coordinating Council during 1999 included:

New Council Chairman: Dr. James O. Mason
In November the Council elected Dr. James O. Mason as its new chairman, following his appointment by Governor Leavitt and confirmation by the Utah Senate as a citizen representative on the Council. Dr. Mason, who recently returned from a church mission in South Africa, has had a distinguished career in public health. He served as Executive Director of the Utah Department of Health from 1979-83, as Director of the Centers for Disease Control from 1983-89, as Assistant Secretary for Health and Head of the U.S. Public Health Service for the U.S. Department of Health and Human Services from 1989-93, and as Acting Surgeon General from 1989-90.

Illegal Drug Lab Decontamination

H.J.R. 11 - Resolution Regarding Methamphetamine Lab Cleanup and Public Safety Standards and Programs was passed by the 1999 Utah Legislature. The resolution directed the USAAV Council to coordinate and staff a work group of representatives from appropriate state, local and federal agencies in order to generate recommendations regarding standards, certification, training, and funding related to the decontamination of methamphetamine and other illegal drug labs. The USAAV work group, co-chaired by Gary Heward, Assistant Utah Attorney General working with the Drug Enforcement Administration (DEA), and Captain Kevin Youngberg, Criminal Investigations Bureau of the Utah Department of Public Safety, met throughout the 1999 interim and produced a report to the Legislature and draft legislation to enact the report recommendations. The report was presented to several legislative interim committees. The legislation will be sponsored by Representative Lamont Tyler in the 2000 Legislative Session.

Tobacco Settlement Funds

Throughout the 1999 interim period, the USAAV Council's Executive Committee served in an advisory capacity to the Governor's Tobacco Settlement Advisory Group. USAAV reviewed and rated over \$75 million in proposals for Utah's share of the settlement funds. The Council recommended the funding of a comprehensive continuum of tobacco, alcohol,

and other drug prevention, intervention and cessation/treatment services, with an emphasis on the Governor's three priority populations: youth, offenders, and public assistance recipients.

Asset Forfeiture

In 1999, the USAAV Council reinstated its Asset Forfeiture Work Group, in order to study forfeiture in drug-related cases. The work group, co-chaired by Scott Reed, Assistant Utah Attorney General and Kirk Torgensen, Director of Adult Probation and Parole for the Utah Department of Corrections, reviewed and followed proposed federal legislation, and consulted with the Utah Office of the Legislative Auditor General in conducting "A Performance Audit of Asset Forfeiture Procedures," which was released November. The Council intends to present legislation in the 2000 Utah Legislative Session.

Crime Reduction Planning

The 1999 Utah Legislature passed *H.B. 145 - State and Local Agencies' Crime Reduction Plans*, which directed the Utah Commission on Criminal and Juvenile Justice (CCJJ) to undertake a statewide crime reduction planning process with state and local justice agencies. CCJJ conducted a survey of law enforcement agencies to determine the most critical crime problems in the state. Not surprisingly, the drug problem, and methamphetamine in particular, emerged as the #1 issue. In September, CCJJ held a statewide conference in St. George to begin a discussion and refinement of the issues identified. Given the emphasis on drugs and the strong correlation with crime in Utah, the USAAV Council worked very closely with CCJJ during the year and will continue to do so in future endeavors related to this important crime reduction initiative.

The 1999 Utah Legislature also passed *H.B. 257 - Crime Reduction Task Force*, which created an 11-member legislative body charged with studying crime in Utah, including how to prevent and reduce drug-related crime in the state. The USAAV Council, in conjunction with CCJJ, provided considerable technical assistance for the task force during its series of meetings from June through November, and developed a "Proposed Continuum of Substance Abuse Programs and Services for Solving Utah's Drug-Related Crime Problem" to serve as a framework to be utilized by the task force in generating its recommendations.

Local Government Alcohol Funds

The 1999 Utah Legislature passed *H.B. 18 - Funding Formula for Alcohol Offenses Enforcement*. This bill enacted a requirement that all municipalities and counties receiving annual distributions of liquor control profits and beer excise tax monies under §32A-1-115 (enacted in 1983)

shall submit an annual report to the USAAV Council regarding how the monies were utilized and whether they were expended for the purposes outlined in the statute. The funds are intended for alcohol-related law enforcement and control, including: prevention, detection, prosecution, confinement and treatment of offenders. During 1999, the USAAV Council worked with the Tax Commission and the Auditor's Office to develop and distribute the annual reporting form. Failure to submit the required report may result in the withholding of a local government's next funding distribution, which may be reinstated immediately upon submission of the report.

Governor's Council on DUI

On September 20, 1999, Governor Leavitt signed an Executive Order creating the Governor's Council on Driving Under the Influence. The new council, which will be co-chaired by Lieutenant Governor Olene Walker and Representative Nora B. Stephens, will provide increased emphasis and new focus for a long-time USAAV priority issue. The DUI Council will work and coordinate very closely with the USAAV Council, and will report its recommendations to both the Governor and USAAV.

Issues Currently Under Study

The USAAV Council and its Judiciary, Justice, Prevention and Treatment Committees currently have a number of issues under study. As the studies conclude, the Council will formulate appropriate priorities and recommendations and submit them to the Governor, Legislature, Judicial Council and CCJJ. Included are:

- ❖ Regulation of additional precursor substances utilized in the manufacturing of methamphetamine.
- ❖ Classification of substances commonly referred to as "date rape drugs" as controlled substances in the Controlled Substances Act.
- ❖ Legislation to facilitate the administration of school surveys of student tobacco, alcohol and other drug use and youth violence.
- ❖ An increase in the tax on tobacco products (other than cigarettes).
- ❖ School safety proposals.
- ❖ Determination of appropriate roles for substance abuse agencies in FACT and SHOCAP.
- ❖ Responsibility for hospital-based substance abuse services in emergency situations (e.g., meth abuse admissions to emergency rooms).
- ❖ Substance abuse among pregnant women: treatment vs. prosecution.
- ❖ Insurance parity for substance abuse and mental

health services.

❖ Funding for domestic violence programs; school-based substance abuse and mental health services; increased treatment capacity for populations in need (methamphetamine abusers, youth, adult males, women and children, and offenders); restoration of the full \$4.35 million appropriation to local governments for alcohol-related enforcement and other programs; and funding of substance abuse services through the Children's Health Insurance Program (CHIP).

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Coordinating Council**

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